

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, ) CASE NO. CR04-261-JLR  
)  
Plaintiff, )  
)  
v. )  
) DETENTION ORDER  
JAMES ARTHUR O'MARA, )  
)  
Defendant. )  
\_\_\_\_\_ )

Offense charged:

Conspiracy to Distribute Marijuana

Date of Detention Hearing: Initial Appearance January 30, 2006

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant was indicted in 2004, with two co-defendants, on the charge of

01 Conspiracy to Distribute Marijuana. He was arrested in California in January 2006 pursuant to  
02 a warrant issued in this District and ordered detained by a United States Magistrate Judge as a  
03 risk of nonappearance.

04 (2) In the Pretrial Services report filed in the Central District of California, defendant  
05 reported he has been living in Canada for the last four years. He indicates he has dual citizenship  
06 in Canada and the United States. He has no family ties in the United States.

07 (3) The defendant does not contest detention.

08 (4) The defendant poses a risk of nonappearance due to lack of ties to the United  
09 States and significant family ties to Canada, and some inconsistencies in his residential history.  
10 He poses a risk of danger due to the nature of the instant offense.

11 (5) There does not appear to be any condition or combination of conditions that will  
12 reasonably assure the defendant's appearance at future Court hearings while addressing the danger  
13 to other persons or the community.

14 It is therefore ORDERED:

15 (1) Defendant shall be detained pending trial and committed to the custody of the  
16 Attorney General for confinement in a correction facility separate, to the extent  
17 practicable, from persons awaiting or serving sentences or being held in custody  
18 pending appeal;

19 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
20 counsel;

21 (3) On order of a court of the United States or on request of an attorney for the  
22 Government, the person in charge of the corrections facility in which defendant is

01 confined shall deliver the defendant to a United States Marshal for the purpose of  
02 an appearance in connection with a court proceeding; and

- 03 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
04 counsel for the defendant, to the United States Marshal, and to the United States  
05 Pretrial Services Officer.

06 DATED this 30th day of January, 2006.

07   
08 Mary Alice Theiler  
09 United States Magistrate Judge  
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